IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

| DAVID TODD MAYES | § | |
|------------------|----------|------------------------------|
| VS. | § | CIVIL ACTION NO. 1:18-CV-301 |
| ZENA STEPHENS | § | |

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, David Todd Mayes, a pre-trial detainee confined at the Jefferson County Correctional Facility, proceeding *pro se*, filed this civil right action pursuant to 42 U.S.C. § 1983 against defendant Sheriff Zena Stephens.

The Court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the petition be dismissed without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED this the 2 day of January, 2019.

Thad Heartfield

United States District Judge